

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHRISTOPHER BERITICH,

Plaintiff,

v.

MULTICARE HEALTH SYSTEM, et al.,

Defendants.

CASE NO. C15-5370 BHS

ORDER GRANTING
DEFENDANT MULTICARE
HEALTH SYSTEM'S MOTION
TO CONTINUE TRIAL DATE

This matter comes before the Court on Defendant MultiCare Health System's ("MultiCare") motion to continue trial date (Dkt. 38).

On October 2, 2015, the Court issued a scheduling order setting a five-day jury trial for September 20, 2016. Dkt. 15. On April 27, 2016, MultiCare filed the instant motion seeking to continue the trial date to January 2017. Dkt. 38. MultiCare's counsel will be representing another client in a previously-scheduled administrative hearing set to begin on October 3, 2016.¹ Dkt. 39, Declaration of Timothy O'Connell ("O'Connell Dec.") ¶ 8, Ex. B. The dates for the administrative hearing were inadvertently omitted

¹ The administrative hearing was originally scheduled to begin on September 12, 2016. O'Connell Dec., Ex. A.

1 from the Joint Status Report that Plaintiff Christopher Beritich (“Beritich”) filed with the
2 Court on September 1, 2015. *See* Dkt. 13; Dkt. 42, Declaration of Richard Wooster ¶ 5.
3 On May 2, 2016, Beritich responded and opposed MultiCare’s motion. Dkt. 40.
4 Defendant United Food and Commercial Workers Union also responded, but does not
5 oppose the requested continuance. Dkt. 43. On May 6, 2016, MultiCare replied. Dkt.
6 44.

7 MultiCare’s request to continue the trial date presents a close question. On the
8 one hand, MultiCare has known about the potential conflict since October 2015, but has
9 only now requested a continuance. On the other hand, continuing the trial date to January
10 2017 is not a significant delay. Additionally, the trial date would likely have been set
11 close to or in January 2017 had the Joint Status Report included all of the conflicting
12 dates.

13 After balancing these considerations, the Court ultimately finds good cause to
14 continue the trial date. *See* Fed. R. Civ. P. 16(b)(4) (“A schedule may be modified only
15 for good cause and with the judge’s consent.”). Therefore, it is hereby **ORDERED** that
16 MultiCare’s motion to continue trial date (Dkt. 38) is **GRANTED**. The trial date is
17 continued to January 10, 2017.

18 Dated this 11th day of May, 2016.

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21 BENJAMIN H. SETTLE
22 United States District Judge